

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF GEORGIA  
WAYCROSS DIVISION

IN RE: )  
 )  
BANNER WALDRON, JR., ) CHAPTER 13 BANKRUPTCY  
 ) CASE NO. 94-50693  
DEBTOR )

ORDER

Bank South, N.A., movant, through it's attorney Gary M. Wisenbaker, filed a Motion For Relief From Automatic Stay on March 8, 1996. On March 12, 1996, the Court's notice was issued advising that a hearing on the motion would be held on April 17, 1996.

At the hearing, Debtor's attorney, Clyde W. Royals, advised the Court that certain information had been furnished to movant in response to the Motion For Stay Relief. Mr. Royals stated that he had hoped that the information supplied to the movant would be adequate to satisfy the movant as to Debtor's defense to the effect that all the payments had been made.

According to Mr. Royals, Mr. Wisenbaker advised him that he would consider the material supplied and let him know whether movant would be willing to withdraw the Motion For Stay Relief. No such advice was provided to Mr. Royals. Mr. Royals was required to attend the hearing on the motion for stay relief in accordance with his duty to represent the Debtor in all matters before the Court. The failure of movant's counsel to appear at the hearing or to contact Mr. Royals in advance of the hearing is not in accordance with the standards of practice required in

this Court.

Now, therefore it is hereby

ORDERED that movant's counsel, Gary M. Wisenbaker, is required to attend a hearing to be held on May 22, 1996 at 2:00 p.m. in Waycross, Georgia, 3rd Floor, United States Bankruptcy Court, to show cause, if any he can, why sanctions should not be imposed for his failure to attend the hearing on the Motion For Stay Relief.

DATED this \_\_\_\_ day of May, 1996.

---

JAMES D. WALKER, JR., Judge  
United States Bankruptcy Court

CERTIFICATE OF SERVICE

I, Cheryl L. Spilman, certify that a copy of the attached  
and foregoing was mailed to the following:

Mr. Clyde W. Royals  
Attorney At Law  
239 S. Peterson Avenue  
Douglas, GA 31533

Mr. Gary M. Wisenbaker  
Attorney At Law  
P. O. Box 13426  
Savannah, GA 31416-0426

Sylvia Ford Brown  
Chapter 13 Trustee  
P. O. Box 10556  
Savannah, GA 31412

This \_\_\_\_\_ day of May, 1996.

\_\_\_\_\_  
Cheryl L. Spilman  
Deputy Clerk  
United States Bankruptcy Court